

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BMMSOFT, INC.,

No. C 09-4562 MMC

Plaintiff,

**ORDER OF DISMISSAL**

v.

WHITE OAKS TECHNOLOGY, INC.,

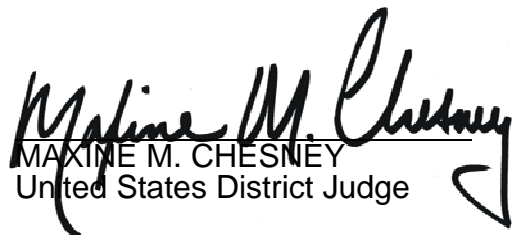
Defendant.

The parties having advised the Court that they have agreed to a settlement of this cause,

IT IS HEREBY ORDERED that plaintiff's claims alleged herein against defendant be dismissed without prejudice; provided, however, that if any party hereto shall certify to this Court, within ninety (90) days, with proof of service of a copy thereon on opposing counsel, that the agreed consideration for the settlement has not been delivered, the foregoing order shall stand vacated and the action shall forthwith be restored to the calendar to be set for trial.

**IT IS SO ORDERED.**

Dated: September 21, 2010

  
MAXINE M. CHESNEY  
United States District Judge